

1.1 A bill for an act

1.2 relating to state government; providing oversight and establishing criteria for
1.3 expenditures from the parks and trails fund, outdoor heritage fund, clean water
1.4 fund, arts and cultural heritage fund, and environment and natural resources
1.5 trust fund; amending Minnesota Statutes 2008, sections 3.303, by adding a
1.6 subdivision; 3.971, by adding a subdivision; 85.53; 97A.056, subdivisions 2, 3,
1.7 6, 7, by adding subdivisions; 114D.50; 116P.05, subdivision 2; 129D.17.

1.8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.9 Section 1. Minnesota Statutes 2008, section 3.303, is amended by adding a subdivision
1.10 to read:

1.11 Subd. 10. Constitutionally dedicated funding accountability office. (a) The
1.12 Legislative Coordinating Commission shall establish an Office of Public Accountability
1.13 for Constitutionally Dedicated Funding. Duties of the office shall include, but are not
1.14 limited to, the development and maintenance of a user-friendly, public-oriented Web site
1.15 that informs, educates, and demonstrates to the public how the constitutionally dedicated
1.16 funds in the arts and cultural heritage fund, outdoor heritage fund, clean water fund, parks
1.17 and trails fund, and environment and natural resources trust fund are being expended to
1.18 meet the requirements established for each fund in the state constitution. Information
1.19 provided on the Web site must include, but is not limited to:

1.20 (1) information on all project proposals received by the Lessard Outdoor Heritage
1.21 Council and the Legislative-Citizen Commission on Minnesota Resources;

1.22 (2) information on all projects receiving funding, including proposed measurable
1.23 outcomes and the plan for measuring and evaluating the results;

2.1 (3) measured outcomes and evaluation of projects as required under sections 85.53,
2.2 subdivision 2; 97A.056, subdivision 9; 114D.50, subdivision 2; 129D.17, subdivision
2.3 2; and

2.4 (4) education about the areas and issues the projects address.

2.5 (b) All information for proposed and funded projects, including the proposed
2.6 measurable outcomes, must be made available on the Web site as soon as practicable.
2.7 Information on the measured outcomes and evaluation must be posted as soon as it
2.8 becomes available. The costs of the office shall be paid out of the arts and cultural
2.9 heritage fund, outdoor heritage fund, clean water fund, parks and trails fund, and the
2.10 environment and natural resources trust fund proportionately. For purposes of this section,
2.11 "measurable outcomes" mean outcomes, indicators, or other performance measures that
2.12 may be quantified or otherwise measured in order to measure the effectiveness of a project
2.13 or program in meeting its intended goal or purpose.

2.14 Sec. 2. Minnesota Statutes 2008, section 3.971, is amended by adding a subdivision to
2.15 read:

2.16 Subd. 9. **Restoration audits.** The legislative auditor shall conduct restoration
2.17 audits on a portion of land restorations funded in whole or in part with state funds, to
2.18 determine whether the activities and programs funded with state funds, including the
2.19 outdoor heritage fund, the parks and trails fund, the clean water fund, the environment and
2.20 natural resources trust fund, and state-issued bonds, are accomplishing their restoration
2.21 goals. The audit must include a critical analysis of the restoration goals and objectives,
2.22 scientific evaluation of the results, and the effectiveness of the restorations in meeting
2.23 applicable restoration requirements. The legislative auditor shall hire or contract with
2.24 scientists and other appropriate persons to meet this requirement. Restoration audits shall
2.25 be funded out of the fund that funded the restoration, when possible. For the purposes
2.26 of this section, a "restoration audit" is a scientific evaluation of an area of land that has
2.27 been restored in order to determine whether the restoration meets applicable requirements
2.28 for the restoration.

2.29 Sec. 3. Minnesota Statutes 2008, section 85.53, is amended to read:

2.30 **85.53 PARKS AND TRAILS FUND.**

2.31 Subdivision 1. **Establishment.** The parks and trails fund is established in the
2.32 Minnesota Constitution, article XI, section 15. All money earned by the parks and trails
2.33 fund must be credited to the fund.

3.1 Subd. 2. Expenditures; accountability. (a) A project or program receiving funding
3.2 from the parks and trails fund must meet or exceed the constitutional requirement to
3.3 support parks and trails of regional or statewide significance. A project or program
3.4 receiving funding from the parks and trails fund must include measurable outcomes, as
3.5 defined in section 3.303, subdivision 10, and a plan for measuring and evaluating the
3.6 results. A project or program must be consistent with current science when appropriate
3.7 and incorporate state of the art technology when appropriate.

3.8 (b) Funding must be requested and granted for an entire project, even if the project
3.9 will take multiple years to complete. For the purposes of this requirement, a project that is
3.10 part of a larger project and that could also be considered a single project is a single project.

3.11 (c) Biennially, money from the parks and trails fund shall be expended to balance
3.12 the benefits across all regions and residents of the state.

3.13 (d) All information for funded projects, including the proposed measurable
3.14 outcomes, must be made available on the Web site required under section 3.303,
3.15 subdivision 10, as soon as practicable. Information on the measured outcomes and
3.16 evaluation must be posted as soon as it becomes available.

3.17 (e) Grants funded by the parks and trails fund must be implemented according to
3.18 section 16B.98. Proposals must specify all organizations, including contact information,
3.19 that will receive any portion of a grant and specify a process for any regranting envisioned.
3.20 Priority for grant proposals must be given to proposals involving grants that will be
3.21 competitively awarded.

3.22 (f) A recipient of money from the parks and trails fund must display a sign on lands
3.23 and capital improvements purchased, restored, or protected with money from the parks
3.24 and trails fund that identifies it as a project funded with money from the vote of the people
3.25 of Minnesota on November 4, 2008.

3.26 (g) All money from the parks and trails fund must be expended in Minnesota.

3.27 Subd. 3. Data availability. Data collected by the projects funded with money from
3.28 the parks and trails fund that have value for planning and management of natural resource,
3.29 emergency preparedness, and infrastructure investments must conform to the enterprise
3.30 information architecture developed by the Office of Enterprise Technology. Spatial data
3.31 must conform to geographic information system guidelines and standards outlined in that
3.32 architecture and adopted by the Minnesota Geographic Data Clearinghouse at the Land
3.33 Management Information Center. A description of these data that adheres to the Office
3.34 of Enterprise Technology geographic metadata standards must be submitted to the Land
3.35 Management Information Center to be made available online through the clearinghouse
3.36 and the data must be accessible and free to the public unless made private under chapter

4.1 13. To the extent practicable, summary data and results of projects and programs funded
4.2 with money from the parks and trails fund should be readily accessible on the Internet and
4.3 identified as a parks and trails fund project.

4.4 Subd. 4. **Special review.** A project receiving an appropriation or appropriations
4.5 from the parks and trails fund totalling \$10,000,000 or more in a biennium is subject to the
4.6 following requirements:

4.7 (1) the attorney general must review and approve all contracts and real estate
4.8 transactions, including conservation easements, and make a determination of whether they
4.9 are in the best interest of the state and whether they meet all applicable requirements; and

4.10 (2) a second appraisal, meeting the state appraisal requirements for land acquisitions
4.11 under section 84.0272, must be conducted and approved by the commissioner of natural
4.12 resources for all real estate transactions, including conservation easements.

4.13 Sec. 4. Minnesota Statutes 2008, section 97A.056, subdivision 2, is amended to read:

4.14 Subd. 2. **Lessard Outdoor Heritage Council.** (a) The Lessard Outdoor Heritage
4.15 Council of 12 members is created in the legislative branch, consisting of:

4.16 (1) two public members appointed by the senate Subcommittee on Committees of
4.17 the Committee on Rules and Administration;

4.18 (2) two public members appointed by the speaker of the house;

4.19 (3) four public members appointed by the governor;

4.20 (4) two members of the senate appointed by the senate Subcommittee on Committees
4.21 of the Committee on Rules and Administration; and

4.22 (5) two members of the house of representatives appointed by the speaker of the
4.23 house.

4.24 (b) Members appointed under paragraph (a) must not be registered lobbyists.

4.25 In making appointments, the governor, senate Subcommittee on Committees of the
4.26 Committee on Rules and Administration, and the speaker of the house shall consider
4.27 geographic balance, gender, age, ethnicity, and varying interests including hunting and
4.28 fishing. The governor's appointments to the council are subject to the advice and consent
4.29 of the senate.

4.30 (c) Public members appointed under paragraph (a) shall have practical experience
4.31 or expertise or demonstrated knowledge in the science, policy, or practice of restoring,
4.32 protecting, and enhancing wetlands, prairies, forests, and habitat for fish, game, and
4.33 wildlife.

4.34 (d) Legislative members appointed under paragraph (a) shall include the chairs
4.35 of the legislative committees with jurisdiction over environment and natural resources

5.1 finance or their designee, one member from the minority party of the senate, and one
5.2 member from the minority party of the house of representatives.

5.3 (e) Members serve four-year terms and shall be initially appointed according to
5.4 the following schedule of terms:

5.5 (1) two public members appointed by the governor for a term ending the first
5.6 Monday in January 2011;

5.7 (2) one public member appointed by the senate Subcommittee on Committees of the
5.8 Committee on Rules and Administration for a term ending the first Monday in January
5.9 2011;

5.10 (3) one public member appointed by the speaker of the house for a term ending
5.11 the first Monday in January 2011;

5.12 (4) two public members appointed by the governor for a term ending the first
5.13 Monday in January 2013;

5.14 (5) one public member appointed by the senate Subcommittee on Committees of the
5.15 Committee on Rules and Administration for a term ending the first Monday in January
5.16 2013;

5.17 (6) one public member appointed by the speaker of the house for a term ending the
5.18 first Monday in January 2013; and

5.19 (7) two members of the senate appointed by the senate Subcommittee on Committees
5.20 of the Committee on Rules and Administration for a term ending the first Monday in
5.21 January 2013, and two members of the house of representatives appointed by the speaker
5.22 of the house for a term ending the first Monday in January 2013.

5.23 (f) Compensation and removal of public members are as provided in section
5.24 15.0575. A vacancy on the council may be filled by the appointing authority for the
5.25 remainder of the unexpired term.

5.26 (g) The first meeting of the council shall be convened by the chair of the Legislative
5.27 Coordinating Commission no later than December 1, 2008. Members shall elect a chair,
5.28 vice-chair, secretary, and other officers as determined by the council. The chair may
5.29 convene meetings as necessary to conduct the duties prescribed by this section.

5.30 (h) ~~The Department of Natural Resources~~ Legislative Coordinating Commission
5.31 shall provide administrative support for the council. Up to one percent of the money
5.32 appropriated from the fund may be used to cover the ~~staffing and related~~ administrative
5.33 expenses of the ~~department and to cover the compensation and travel~~ council; office
5.34 expenses; and per diem, mileage, and lodging expenses of council members pursuant to
5.35 this subdivision; the staffing and related administrative expenses of the legislative auditor

6.1 under section 3.971, subdivision 9; and the staffing and related expenses of the Legislative
6.2 Coordinating Commission under section 3.303, subdivision 10.

6.3 Sec. 5. Minnesota Statutes 2008, section 97A.056, subdivision 3, is amended to read:

6.4 Subd. 3. **Council recommendations.** (a) The council shall make recommendations
6.5 to the legislature on appropriations of money from the outdoor heritage fund that are
6.6 consistent with the Constitution and state law and that ~~take into consideration~~ will
6.7 achieve the outcomes of existing natural resource plans, including, but not limited to,
6.8 the Minnesota Statewide Conservation and Preservation Plan, that directly relate to the
6.9 restoration, protection, and enhancement of wetlands, prairies, forests, and habitat for fish,
6.10 game, and wildlife, and that prevent forest fragmentation, encourage forest consolidation,
6.11 and expand restored native prairie. The council shall submit its initial recommendations to
6.12 the legislature no later than April 1, 2009. Subsequent recommendations shall be submitted
6.13 no later than January 15 each year. The council shall present its recommendations to the
6.14 senate and house of representatives committees with jurisdiction over the environment
6.15 and natural resources budget by February 15 in odd-numbered years, and within the
6.16 first four weeks of the legislative session in even-numbered years. The council's budget
6.17 recommendations to the legislature shall be separate from the Department of Natural
6.18 Resource's budget recommendations.

6.19 (b) To encourage and support local conservation efforts, the council shall establish a
6.20 conservation partners program. Local, regional, state, or national organizations may apply
6.21 for matching grants for restoration, protection, and enhancement of wetlands, prairies,
6.22 forests, and habitat for fish, game, and wildlife, prevention of forest fragmentation,
6.23 encouragement of forest consolidation, and expansion of restored native prairie.

6.24 (c) The council may work with the Clean Water Council to identify projects that
6.25 are consistent with both the purpose of the outdoor heritage fund and the purpose of
6.26 the clean water fund.

6.27 (d) The council may make recommendations to the Legislative-Citizen Commission
6.28 on Minnesota Resources on scientific research that will assist in restoring, protecting, and
6.29 enhancing wetlands, prairies, forests, and habitat for fish, game, and wildlife, preventing
6.30 forest fragmentation, encouraging forest consolidation, and expanding restored native
6.31 prairie.

6.32 (e) Recommendations of the council, including approval of recommendations for the
6.33 outdoor heritage fund, require an affirmative vote of at least nine members of the council.

6.34 (f) The council may work with the Clean Water Council, the Legislative-Citizen
6.35 Commission on Minnesota Resources, the Board of Water and Soil Resources, soil and

7.1 water conservation districts, and experts from Minnesota State Colleges and Universities
7.2 in developing the council's recommendations.

7.3 (g) The council shall develop and implement a process that ensures that citizens
7.4 and potential recipients of funds are included throughout the process, including the
7.5 development and finalization of the council's recommendations. The process must include
7.6 a fair, equitable, and thorough process for reviewing requests for funding and a clear and
7.7 easily understood process for ranking projects.

7.8 (h) The council shall use the regions of the state based upon the ecological
7.9 regions and subregions developed by the Department of Natural Resources and establish
7.10 objectives for each region and subregion to achieve the purposes of the fund outlined
7.11 in the state constitution.

7.12 Sec. 6. Minnesota Statutes 2008, section 97A.056, subdivision 6, is amended to read:

7.13 Subd. 6. **Audit.** ~~The council shall select an independent auditor to~~ legislative auditor
7.14 shall audit the outdoor heritage fund expenditures, including administrative and staffing
7.15 expenditures, every two years to ensure that the money is spent to restore, protect, and
7.16 enhance wetlands, prairies, forests, and habitat for fish, game, and wildlife.

7.17 Sec. 7. Minnesota Statutes 2008, section 97A.056, subdivision 7, is amended to read:

7.18 Subd. 7. **Legislative oversight.** ~~(a) The senate and house of representatives chairs~~
7.19 ~~of the committees with jurisdiction over the environment and natural resources budget~~
7.20 ~~shall convene a joint hearing to review the activities and evaluate the effectiveness of the~~
7.21 ~~council and evaluate the effectiveness and efficiency of the department's administration~~
7.22 ~~and staffing of the council after five years but~~ to receive reports on the council from the
7.23 legislative auditor no later than June 30, 2014.

7.24 ~~(b) By January 15, 2013, a professional outside review authority shall be chosen by~~
7.25 ~~the chairs of the house of representatives and senate committees with jurisdiction over~~
7.26 ~~environment and natural resources to evaluate the effectiveness and efficiency of the~~
7.27 ~~department's administration and staffing of the council. A report shall be submitted to~~
7.28 ~~the chairs by January 15, 2014.~~

7.29 Sec. 8. Minnesota Statutes 2008, section 97A.056, is amended by adding a subdivision
7.30 to read:

7.31 Subd. 8. **Priorities and expenditure requirements.** (a) A project receiving funding
7.32 from the outdoor heritage fund must meet or exceed the constitutional requirements to
7.33 restore, protect, and enhance wetlands, prairies, forests, and habitat for fish, game, and

8.1 wildlife. Priority must be given to projects that meet more than one of these requirements.
8.2 A project must be consistent with current science when appropriate and incorporate state
8.3 of the art technology when appropriate. The council may establish funding priorities to
8.4 direct funding toward the highest priorities. Priority may be given to projects that are
8.5 time sensitive or have a sense of urgency.

8.6 (b) Funding must be requested and granted for an entire project, even if the project
8.7 will take multiple years to complete. For the purposes of this requirement, a project that is
8.8 part of a larger project and that could also be considered a single project is a single project.

8.9 (c) Biennially, money from the outdoor heritage fund shall be expended to balance
8.10 the benefits across all regions and residents of the state.

8.11 (d) Grants funded by the outdoor heritage fund must be implemented according to
8.12 section 16B.98. Proposals must specify all organizations, including contact information,
8.13 that will receive any portion of a grant and specify a process for any regranting envisioned.
8.14 Priority for grant proposals must be given to proposals involving grants that will be
8.15 competitively awarded.

8.16 (e) All money from the outdoor heritage fund must be expended in Minnesota.

8.17 Sec. 9. Minnesota Statutes 2008, section 97A.056, is amended by adding a subdivision
8.18 to read:

8.19 Subd. 9. **Proposal and project requirements.** (a) A request for funding from
8.20 the outdoor heritage fund shall:

8.21 (1) include a list of measurable outcomes, as defined in section 3.303, subdivision
8.22 10, and a plan for measuring and evaluating the results;

8.23 (2) to the extent practicable, include a list of any lands to be acquired, protected, or
8.24 restored; and

8.25 (3) identify the entity that will hold the title or easement of any lands to be acquired
8.26 or protected.

8.27 (b) Lands acquired by fee with funds from the outdoor heritage fund must be open
8.28 to the public taking of game and fish during the open season unless otherwise provided
8.29 by law.

8.30 (c) Lands acquired by fee, restored, or protected by easements with money from
8.31 the outdoor heritage fund should ensure the viability of Minnesota's natural system
8.32 by supporting native biological diversity and their ecological complexes and provide
8.33 protection against invasive species, and must meet one or more of the following criteria:

8.34 (1) identified as an area of biodiversity significance by the county biological survey;

9.1 (2) maintains or enhances native plant, fish, or wildlife species designated as
9.2 endangered or threatened under section 84.0895;

9.3 (3) maintains a native ecological community;

9.4 (4) possesses a unique quality that is of value to the biodiversity of the region;

9.5 (5) are adjacent to lands meeting one or more of the requirements under clauses (1)
9.6 to (4) and that, if restored or protected, enhance those adjacent lands; or

9.7 (6) are degraded lands that, if restored, would provide or contribute to critical habitat
9.8 corridors for native plants, fish, and wildlife.

9.9 (d) Lands acquired by fee or easement purchased in whole or in part with money
9.10 from the outdoor heritage fund must be perpetually protected and have an ecological
9.11 restoration plan with sufficient funding for implementation. The ecological restoration
9.12 plan must, to the degree practicable, be consistent with the highest quality conservation
9.13 and ecological goals for the restoration site. Consideration should be given to soil,
9.14 geology, topography, source of planting materials, and other relevant factors that would
9.15 provide the best chance for long-term success of the restoration. The plan shall:

9.16 (1) include the proposed timetable for implementing the restoration, including
9.17 site preparation, establishment of diverse plant species, maintenance, and additional
9.18 enhancement to establish the restoration;

9.19 (2) identify long-term maintenance and management needs of the restoration and
9.20 how the maintenance, management, and enhancement will be financed; and

9.21 (3) take advantage of the most current science and include innovative techniques
9.22 to achieve the best restoration.

9.23 (e) Lands restored with money from the outdoor heritage fund must use vegetation
9.24 only of Minnesota's native ecotypes using a high diversity of species grown as close to the
9.25 restoration site as possible and protect existing native prairies from genetic contamination.

9.26 (f) Lands purchased, restored, or protected by easements with money from the
9.27 outdoor heritage fund are not eligible for wetland replacement or mitigation credits.

9.28 (g) A recipient of money from the outdoor heritage fund must display a sign on lands
9.29 purchased, restored, or protected by easements with money from the outdoor heritage fund
9.30 that identifies it as a project funded with money from the vote of the people of Minnesota
9.31 on November 4, 2008.

9.32 (h) To ensure public accountability for the use of public funds, a recipient of
9.33 money from the outdoor heritage fund must provide documentation to the council of the
9.34 selection process used to identify parcels acquired and provide documentation of all
9.35 related transaction costs, including but not limited to appraisals, legal fees, recording fees,
9.36 commissions, other similar costs, and donations. This information must be provided for

10.1 all parties involved in the transaction. The recipient shall also report to the council any
10.2 difference between the acquisition amount paid to the seller and the state-certified or
10.3 state-reviewed appraisal. Acquisition data such as appraisals may remain private during
10.4 negotiations but must ultimately be made public according to chapter 13.

10.5 (i) The owner of an interest in real property acquired with money from the outdoor
10.6 heritage fund may not alter the intended use of the interest in real property or convey any
10.7 interest in the real property acquired with the appropriation without notifying the council
10.8 in writing. For the purposes of this section, "interest in real property" includes, but is not
10.9 limited to, an easement or fee title to property.

10.10 (j) A recipient of money from the outdoor heritage fund shall not use the funds to
10.11 cover any organizational or operational expenses not related to the project being funded.

10.12 (k) All information for proposed and funded projects, including the proposed
10.13 measurable outcomes, must be made available on the Web site required under section
10.14 3.303, subdivision 10, as soon as practicable. Information on the measured outcomes and
10.15 evaluation must be posted as it becomes available.

10.16 Sec. 10. Minnesota Statutes 2008, section 97A.056, is amended by adding a
10.17 subdivision to read:

10.18 Subd. 10. **Data availability.** Data collected by the projects funded with money
10.19 from the outdoor heritage fund that have value for planning and management of natural
10.20 resource, emergency preparedness, and infrastructure investments must conform to the
10.21 enterprise information architecture developed by the Office of Enterprise Technology.
10.22 Spatial data must conform to geographic information system guidelines and standards
10.23 outlined in that architecture and adopted by the Minnesota Geographic Data Clearinghouse
10.24 at the Land Management Information Center. A description of these data that adheres to
10.25 the Office of Enterprise Technology geographic metadata standards must be submitted
10.26 to the Land Management Information Center to be made available online through the
10.27 clearinghouse and the data must be accessible and free to the public unless made private
10.28 under chapter 13. To the extent practicable, summary data and results of projects funded
10.29 with money from the outdoor heritage fund should be readily accessible on the Internet
10.30 and identified as an outdoor heritage fund project.

10.31 Sec. 11. Minnesota Statutes 2008, section 97A.056, is amended by adding a
10.32 subdivision to read:

10.33 Subd. 11. **Report required.** The council shall, by January 15 of each odd-numbered
10.34 year, submit a report to the governor, the chairs of the house of representatives

11.1 appropriations and senate finance committees, and the chairs of the house of
11.2 representatives and senate committees on environment and natural resources. The report
11.3 must be available to the public and posted on the Web site required under section 3.303,
11.4 subdivision 10. The report must include:

11.5 (1) the source and amount of all revenues collected and distributed by the council,
11.6 including all administrative and other expenses;

11.7 (2) a description of the assets and liabilities of the outdoor heritage fund;

11.8 (3) any findings or recommendations that are deemed proper to assist the legislature
11.9 in formulating legislation;

11.10 (4) a list of all gifts and donations with a value over \$1,000; and

11.11 (5) a copy of the most recent audit required under subdivision 6 and any restoration
11.12 audits required under section 3.971, subdivision 9, completed during the preceding
11.13 biennium.

11.14 Sec. 12. Minnesota Statutes 2008, section 97A.056, is amended by adding a
11.15 subdivision to read:

11.16 Subd. 12. **Special review.** A project receiving an appropriation or appropriations
11.17 from the outdoor heritage fund totalling \$10,000,000 or more in a biennium is subject to
11.18 the following requirements:

11.19 (1) the attorney general must review and approve all contracts and real estate
11.20 transactions, including conservation easements, and make a determination of whether they
11.21 are in the best interest of the state and whether they meet all applicable requirements; and

11.22 (2) a second appraisal, meeting the state appraisal requirements for land acquisitions
11.23 under section 84.0272, must be conducted and approved by the commissioner of natural
11.24 resources for all real estate transactions, including conservation easements.

11.25 Sec. 13. Minnesota Statutes 2008, section 114D.50, is amended to read:

11.26 **114D.50 CLEAN WATER FUND.**

11.27 Subdivision 1. **Establishment.** The clean water fund is established in the Minnesota
11.28 Constitution, article XI, section 15. All money earned by the fund must be credited to
11.29 the fund.

11.30 Subd. 2. **Expenditures; accountability.** (a) A project receiving funding from
11.31 the clean water fund must meet or exceed the constitutional requirements to protect,
11.32 enhance, and restore water quality in lakes, rivers, and streams and to protect groundwater
11.33 from degradation. Priority must be given to projects that meet more than one of these
11.34 requirements. A project receiving funding from the clean water fund shall include

12.1 measurable outcomes, as defined in section 3.303, subdivision 10, and a plan for
12.2 measuring and evaluating the results. A project must be consistent with current science
12.3 when appropriate and incorporate state of the art technology when appropriate.

12.4 (b) Biennially, money from the clean water fund shall be expended to balance the
12.5 benefits across all regions and residents of the state.

12.6 (c) All information for proposed and funded projects, including the proposed
12.7 measurable outcomes, must be made available on the Web site required under section
12.8 3.303, subdivision 10, as soon as practicable. Information on the measured outcomes and
12.9 evaluation must be posted as it becomes available. Information classified as not public
12.10 under section 13D.05, subdivision 3, paragraph (d), is not required to be placed on the
12.11 Web site.

12.12 (d) Grants funded by the clean water fund must be implemented according to section
12.13 16B.98. Proposals must specify all organizations, including contact information, that
12.14 will receive any portion of a grant and specify a process for any regrating envisioned.
12.15 Priority for grant proposals must be given to proposals involving grants that will be
12.16 competitively awarded.

12.17 (e) A recipient of money from the clean water fund must display a sign on lands
12.18 and capital improvements purchased, restored, or protected with money from the clean
12.19 water fund that identifies it as a project funded with money from the vote of the people of
12.20 Minnesota on November 4, 2008.

12.21 (f) All money from the clean water fund must be expended in Minnesota.

12.22 Subd. 3. **Data availability.** Data collected by the projects funded with money from
12.23 the clean water fund that have value for planning and management of natural resource,
12.24 emergency preparedness, and infrastructure investments must conform to the enterprise
12.25 information architecture developed by the Office of Enterprise Technology. Spatial data
12.26 must conform to geographic information system guidelines and standards outlined in that
12.27 architecture and adopted by the Minnesota Geographic Data Clearinghouse at the Land
12.28 Management Information Center. A description of these data that adheres to the Office
12.29 of Enterprise Technology geographic metadata standards must be submitted to the Land
12.30 Management Information Center to be made available online through the clearinghouse
12.31 and the data must be accessible and free to the public unless made private under chapter
12.32 13. To the extent practicable, summary data and results of projects funded with money
12.33 from the clean water fund should be readily accessible on the Internet and identified as a
12.34 clean water fund project.

13.1 Subd. 4. **Special review.** A project receiving an appropriation or appropriations
13.2 from the clean water fund totalling \$10,000,000 or more in a biennium is subject to the
13.3 following requirements:

13.4 (1) the attorney general must review and approve all contracts and real estate
13.5 transactions, including conservation easements, and make a determination of whether they
13.6 are in the best interest of the state and whether they meet all applicable requirements; and

13.7 (2) a second appraisal, meeting the state appraisal requirements for land acquisitions
13.8 under section 84.0272, must be conducted and approved by the commissioner of natural
13.9 resources for all real estate transactions, including conservation easements.

13.10 Sec. 14. Minnesota Statutes 2008, section 116P.05, subdivision 2, is amended to read:

13.11 Subd. 2. **Duties.** (a) The commission shall recommend an annual legislative bill for
13.12 appropriations from the environment and natural resources trust fund and shall adopt a
13.13 strategic plan as provided in section 116P.08. Approval of the recommended legislative
13.14 bill requires an affirmative vote of at least 12 members of the commission.

13.15 (b) The commission shall recommend expenditures to the legislature from the state
13.16 land and water conservation account in the natural resources fund.

13.17 (c) It is a condition of acceptance of the appropriations made from the Minnesota
13.18 environment and natural resources trust fund, and oil overcharge money under section
13.19 4.071, subdivision 2, that the agency or entity receiving the appropriation must submit
13.20 a work program and semiannual progress reports in the form determined by the
13.21 Legislative-Citizen Commission on Minnesota Resources, and comply with applicable
13.22 reporting requirements under section 116P.16. The work program and semiannual
13.23 progress reports must include a list of measurable outcomes and a plan for measuring
13.24 and evaluating the results. A list of any lands to be restored, or acquired in fee title or
13.25 through easements, and the entity that will hold the title or easement must be identified
13.26 in the work program. None of the money provided may be spent unless the commission
13.27 has approved the pertinent work program.

13.28 (d) The peer review panel created under section 116P.08 must also review, comment,
13.29 and report to the commission on research proposals applying for an appropriation from the
13.30 oil overcharge money under section 4.071, subdivision 2.

13.31 (e) The commission may adopt operating procedures to fulfill its duties under this
13.32 chapter.

13.33 (f) As part of the operating procedures, the commission shall:

13.34 (1) ensure that members' expectations are to participate in all meetings related to
13.35 funding decision recommendations;

14.1 (2) recommend adequate funding for increased citizen outreach and communications
14.2 for trust fund expenditure planning;

14.3 (3) allow administrative expenses as part of individual project expenditures based
14.4 on need;

14.5 (4) provide for project outcome evaluation;

14.6 (5) keep the grant application, administration, and review process as simple as
14.7 possible; and

14.8 (6) define and emphasize the leveraging of additional sources of money that project
14.9 proposers should consider when making trust fund proposals.

14.10 Sec. 15. Minnesota Statutes 2008, section 129D.17, is amended to read:

14.11 **129D.17 ARTS AND CULTURAL HERITAGE FUND.**

14.12 Subdivision 1. Establishment. The arts and cultural heritage fund is established in
14.13 the Minnesota Constitution, article XI, section 15. All money earned by the fund must
14.14 be credited to the fund.

14.15 Subd. 2. Expenditures; accountability. (a) Funding from the arts and cultural
14.16 heritage fund may be spent only for arts, arts education, and arts access and to preserve
14.17 Minnesota's history and cultural heritage. A project or program receiving funding from the
14.18 arts and cultural heritage fund must include measurable outcomes, as defined in section
14.19 3.303, subdivision 10, and a plan for measuring and evaluating the results. A project or
14.20 program must be consistent with current science when appropriate and incorporate state
14.21 of the art technology when appropriate.

14.22 (b) Funding must be requested and granted for an entire project, even if the project
14.23 will take multiple years to complete. For the purposes of this requirement, a project that is
14.24 part of a larger project and that could also be considered a single project is a single project.

14.25 (c) Biennially, money from the arts and cultural heritage fund shall be expended to
14.26 balance the benefits across all regions and residents of the state.

14.27 (d) All information for funded projects, including the proposed measurable
14.28 outcomes, must be made available on the Web site required under section 3.303,
14.29 subdivision 10, as soon as practicable. Information on the measured outcomes and
14.30 evaluation must be posted as soon as it becomes available.

14.31 (e) Grants funded by the arts and cultural heritage fund must be implemented
14.32 according to section 16B.98. Proposals must specify all organizations, including contact
14.33 information, that will receive any portion of a grant and specify a process for any
14.34 regranting envisioned. Priority for grant proposals must be given to proposals involving
14.35 grants that will be competitively awarded.

15.1 (f) A recipient of money from the arts and cultural heritage fund must display a
15.2 sign on capital projects funded with money from the arts and cultural heritage fund that
15.3 identifies it as a project funded with money from the vote of the people of Minnesota on
15.4 November 4, 2008.

15.5 (g) All money from the arts and cultural heritage fund must be expended in
15.6 Minnesota.

15.7 Subd. 3. **Special review.** A project receiving an appropriation or appropriations
15.8 from the arts and cultural heritage fund totalling \$10,000,000 or more in a biennium
15.9 is subject to the following requirements:

15.10 (1) the attorney general must review and approve all contracts and real estate
15.11 transactions and make a determination of whether they are in the best interest of the state
15.12 and whether they meet all applicable requirements; and

15.13 (2) a second appraisal, meeting the state appraisal requirements for land acquisitions,
15.14 must be conducted.